

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales Practices and Product Liability Litigation | **MDL No. 1699**

**District Judge: Charles R. Breyer
Magistrate:**

FRANKLIN WOLFE, individually,
Plaintiff,

Case No.: 07-cv-0057-CRB

NOTICE OF DISMISSAL

PFIZER, INC., PHARMACIA CORP., and
G.D. SEARLE & CO.,
Defendants.

STIPULATION AND PROPOSED ORDER OF DISMISSAL WITHOUT PREJUDICE

Comes now the Plaintiff and Defendants, by and through their undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action without prejudice with each side bearing its own attorneys' fees and costs.

Should Plaintiff or a representative of Plaintiff attempt to re-file claim against Defendants, they shall do so only by re-filing in the United States District Court, Northern District of California, MDL 1699 In re Bextra and Celebrex Marketing and Sales Practices and Product Liability Litigation.

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1 Dated: April 25, 2008
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Respectfully submitted.

3 By: Stuart M. Gordon
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By: KW

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Attorney for the Defendants

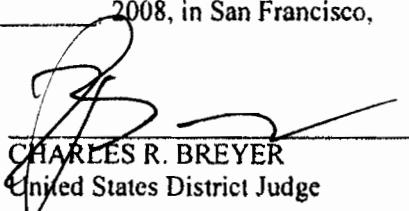
Attorneys for Plaintiff

ORDER OF DISMISSAL WITHOUT PREJUDICE

14 THIS MATTER having come before this Court on the Parties Stipulation of Dismissal,
15 pursuant to Federal Rule of Civil Procedure 41(a), it is hereby ORDERED AND ADJUDGED:

16 This matter is dismissed without prejudice with each side bearing its own attorneys' fees
and costs.

17 DONE AND ORDERED this 8th day of May, 2008, in San Francisco,
18 California.


CHARLES R. BREYER
United States District Judge

21 Conformed copies to:
22 B. Kristian W. Rasmussen, Esquire
23 Stuart M. Gordon, Esquire